

# **PRESS RELEASE**

## **Congressman John Conyers, Jr.**

**Fourteenth District, Michigan  
Ranking Member, Committee on the Judiciary  
Dean, Congressional Black Caucus**

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### **CONYERS EXPRESSES OUTRAGE OVER CLOSING OF DETENTION HEARING FOR RESPECTED MUSLIM IMAM**

**“When legal proceedings are closed to the public, something very wrong has happened to the  
system of justice in America”**

Rep. John Conyers, Jr, Ranking Member of the House Judiciary Committee, issued the following statement in connection with INS’s decision today to close the Detroit detention hearing for Rabih Haddad, an Imam in Michigan’s Muslim community. Both Conyers and the public in general were denied admission to the immigration proceeding, which are ordinarily open.

“The treatment of Imam Haddad over the last several weeks has highlighted everything that is abusive and unconstitutional about our government’s scapegoating of immigrants in the wake of the September 11 terrorist attack.

First and foremost, the proceedings to date have all been in secret. This is an anathema to our system of due process and is more akin to the treatment seen in a dictatorship than a constitutional democracy. The Sixth amendment is clear – “the accused shall enjoy the right to a public trial.” Yet today we witnessed the closing of a detention hearing involving a member in good standing of our Arab community. There was a secret list of ‘permitted attendees’ – but we have not way of knowing who was on the list or why. Certainly, I was not one of the chosen few. When the Ranking Member of the House Judiciary Committee – the committee having oversight responsibility for our immigration laws and our courts -- is not permitted to attend such a hearing in our court system, something very wrong has happened to the system of justice in America.

Moreover, the decision to freeze the assets of Imam Haddad’s Global relief fund have all been in secret as well. This is a group that has raised millions of dollars to fight poverty and we have not seen a shred of evidence linking the charity in any way to terrorism. Here we have a man facing deportation allegedly because of his links to a charitable group linked to terrorism without any foundation in public evidence.

Beyond that, we have one of the most prominent members of the Michigan Islamic community – a man who helped bring about interfaith healing in the wake of the attack – being detained without any bond. The claim that he is a flight risk and a danger to the community appears to be totally unfounded. His passport has been taken and he has family in the U.S., so he will clearly not flee. And although the INS claims he is dangerous because he owns arms, his rifle is registered and he is an avid hunter. The Fifth amendment states “no person shall be ... deprived of life, liberty, liberty and property without due process of law.” The last time I checked, holding someone in prison without a valid reason deprived him of his liberty.

Finally, I fear the government is merely seeking a delay so they can trump up more charges while the Imam is detained also violates the Sixth amendment, which promises a “speedy trial.” If the government has evidence, they should produce it. But in this case, justice delayed translates to justice denied.

I am particularly appalled the Bush administration would be championing these secret proceedings and the use of secret evidence. During the campaign, Mr. Bush promised to oppose the use of secret evidence. Now the President is not only using secret evidence, but by obtaining and using new powers for secret evidence for asset freezes derived from the so-called ‘USA Patriot Act,’ he is expanding it.

Now some would assert the constitution does not apply to immigrants within our borders. Yet the reality is every single court which has addressed this question in recent year has found that the constitution does apply to immigrants, that’s why secret evidence has been consistently thrown out. If you don’t believe me, look at *Mathews v. Diaz*, 426 U.S. 67 (1976), and *Zadvydas v. Davis*, 533 U.S. 678 (2001), cases in which the Supreme Court upheld this age old principle.

The attack of September 11 should not destroy our Constitution, rather it should strengthen our commitment to it. Imam Haddad is entitled to the full disclosure of any evidence against him. He should be released pending future proceedings unless the government can rely on something better than the lawful ownership of a gun by a man known to his friends as a compassionate, law-abiding individual who has made important contributions to the Michigan community.”